

111TH CONGRESS
1ST SESSION

H. R. 1042

To prohibit the provision of medical treatment to enemy combatants detained by the United States at Naval Station, Guantanamo Bay, Cuba, in the same facility as a member of the Armed Forces or Department of Veterans Affairs medical facility.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2009

Mr. MILLER of Florida (for himself, Mr. ROONEY, Mr. WILSON of South Carolina, Mr. CRENSHAW, Mr. WESTMORELAND, Mr. CALVERT, Mr. COLE, and Mr. FRANKS of Arizona) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit the provision of medical treatment to enemy combatants detained by the United States at Naval Station, Guantanamo Bay, Cuba, in the same facility as a member of the Armed Forces or Department of Veterans Affairs medical facility.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress make the following findings:

1 (1) The members of the United States Armed
2 Forces have fought bravely to protect our country
3 from terrorists.

4 (2) Enemy combatants, detained by the United
5 States at Naval Station, Guantanamo Bay, Cuba,
6 often receive better medical treatment and food than
7 members of the United States Armed Forces.

8 (3) Enemy combatants, detained by the United
9 States at Naval Station Guantanamo Bay, Cuba are
10 often treated better than inmates in American pris-
11 ons.

12 **SEC. 2. PROHIBITION ON PROVISION OF MEDICAL TREAT-**
13 **MENT TO ENEMY COMBATANTS DETAINED BY**
14 **THE UNITED STATES AT NAVAL STATION**
15 **GUANTANAMO BAY, CUBA, IN THE SAME FA-**
16 **CILITIES AS MEMBERS OF THE ARMED**
17 **FORCES OR VETERANS.**

18 (a) PROHIBITION.—No enemy combatant detained by
19 the United States at Naval Station, Guantanamo Bay,
20 Cuba, may receive medical treatment at—

21 (1) a military medical facility of the Depart-
22 ment of Defense that provides medical treatment to
23 members of the Armed Forces; or

24 (2) a medical facility of the Department of Vet-
25 erans Affairs.

1 (b) DEFINITIONS.—For the purposes of this section:

2 (1) The term “receive medical treatment”
3 means stay in a medical facility for ten minutes or
4 longer.

5 (2) The term “medical facility of the Depart-
6 ment of Veterans Affairs” has the meaning given
7 the term “medical facility” under section 8101(3) of
8 title 38, United States Code.

9 (3) The term “enemy combatant” means a law-
10 ful enemy combatant (as that term is defined in sec-
11 tion 948a(2) of title 10, United States Code) or an
12 unlawful enemy combatant (as that term is defined
13 in section 948a(1) of such title).

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